

**UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI**

**In Re: LEWIS C. KEYS**

**CHAPTER 13  
NO: 10-15604 DWH**

**MOTION TO AVOID LIEN OF TOWER LOAN OF MISSISSIPPI, INC.**

COMES NOW Debtor, LEWIS C. KEYS, in the above styled and numbered cause, by and through undersigned counsel, and files this his Motion to Avoid Lien of Tower Loan of Mississippi, Inc. ("Tower Loan"), respectfully showing unto the Court as follows:

1. The Debtor filed a petition for relief under Chapter 13 of the Bankruptcy Code on the 15<sup>th</sup> day of November, 2010, in the above styled and numbered cause.
2. Prior to the filing of the Petition, the Debtor incurred a debt with Tower Loan and said creditor asserts that it holds a non-purchase money lien on certain items, including the following:

one 50" tv, one 32" tv, one riding mower, one weed eater, one stereo and one surround sound system
3. The Debtor asserts that all of the above items are exempt pursuant to the provisions of §85-3-1(a)(i) or §85-3-1(a)(vi) *Miss. Code Ann.* (1972) as amended.
4. The Debtor further asserts that all of the items are either household goods, wearing apparel, appliances, books, animals, musical instruments or jewelry held primarily for personal, family, or household use of the Debtor or his dependents as defined by under bankruptcy law and are avoidable pursuant to 11 U.S.C. §522(f)(1)(B)(i) and §522(f)(4).

5. The Debtor further asserts that any electronic entertainment equipment (other than one television, 1 radio, and 1 VCR) and that any jewelry other than wedding rings have an aggregate value of less than \$500.00 and each separate item has a value of less than \$200.00.

WHEREFORE, Debtor prays that Court will enter its Order avoiding the lien of Tower Loan on the above items of collateral. Debtor prays for such other, further and general relief to which he may be entitled.

Respectfully Submitted,  
LEWIS C. KEYS, Debtor

By: /s/ Robert Gambrell  
ROBERT GAMBRELL, Atty for Debtor  
101 Ricky D. Britt Blvd., Ste. 3  
Oxford, MS 38655  
662-281-8800 / fax 662-202-1004  
MS Bar #4409

CERTIFICATE OF SERVICE

I, ROBERT GAMBRELL, Attorney for the above listed Debtor, do hereby certify that the following have been served electronically via ECF with a copy of the above Motion to Avoid Lien of Tower Loan of Mississippi, Inc. :

R. Michael Bolen, United States Trustee: USTPRegion05.JA.ECF@usdoj.gov  
Terre M. Vardaman: vardaman13@gmail.com

I, further certify that I have this date mailed postage prepaid, a true and correct copy of said Motion to Tower Loan of Mississippi, Inc. at its regular mailing address of P. O. Box 320001, Flowood, MS 39232-0001.

This the 3<sup>rd</sup> day of January, 2011.

/s/ Robert Gambrell  
ROBERT GAMBRELL

**UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI**

**In Re: LEWIS C. KEYS**

**CHAPTER 13  
NO: 10-15604 DWH**

**ORDER AVOIDING LIEN OF TOWER LOAN OF MISSISSIPPI, INC.**

THIS CAUSE having come before the Court for consideration of the Motion to Avoid Lien of Tower Loan of Mississippi, Inc. ("Tower Loan") filed by the Debtor, LEWIS C. KEYS, and no response having been filed by said creditor within the time period set out in the Motion, and the Court having considered the matter and is of the opinion that the Motion is well taken and should be granted.

IT IS THEREFORE ORDERED AND ADJUDGED that Tower Loan's lien on one 50" tv, one 32" tv, one riding mower, one weed eater, one stereo and one surround sound system be and hereby is avoided pursuant to 11 U.S.C. §522(f)(1).

SO ORDERED AND ADJUDGED this the \_\_\_\_ day of \_\_\_\_\_,  
2011.

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U. S. BANKRUPTCY COURT JUDGE